

APPENDIX B. AGENCY COORDINATION CORRESPONDENCE



**Regional Public
Transportation
Authority**

March 1, 2001

Mr. Michael Shirley
Senior Environmental Planner
Logan Simpson Design, Inc.
51 West Third Street, Suite
450 Tempe AZ 85281

Re: Grand Avenue (multiple intersections)
Design Concept Report and Environmental
Assessment Arizona Department of Transportation

Dear Mr. Shirley:

Thank you for giving us the opportunity to participate and comment on the Grand Avenue Improvement project. It is our understanding that over \$176 million has been programmed through 2006 to ease traffic congestion on Grand Avenue by constructing grade separations at seven of its troublesome six-legged intersections. The project will also provide a new link between Grand Avenue and the Loop 101 Agua Fria Freeway.

Grand Avenue has held challenges for quality transit operations for decades. The many complex six-legged intersections coupled with parallel railroad operations can create long delays and safety concerns for transit riders. In addition to the intersection geometric and the railroad operations, much of the roadway frontage does not feature street architecture that facilitates convenient pedestrian access.

Valley Metro currently has a regional transit route (the "Yellow" line, regional connector service from Peoria to Tempe) traveling on Grand Avenue between 19th Avenue and 83rd Avenue. Although Grand is not the best transit corridor under any circumstances, these new "flyovers" present additional challenges. The existing grade separation at Grand Avenue and Indian School Road has generated a number of transit passenger complaints over the years. We expect this history to be repeated in the other locations where grade separations are currently being designed. The fact that not all intersections will elevate the same direction will add to the transit rider's confusion with dissimilar geometrics.

Valley Metro bus service is primarily designed to operate on a grid system, complementary to almost all of the street network of the region. Change in the direction of a passenger's travel requires a route transfer; typically between east/west and north/south corridors. The inconvenience of these transfers is being mitigated somewhat by increased levels of service currently being implemented in much of the region. These transfers are considerably more troublesome at the six way intersections along Grand. To make these transfers in the future, a passenger will need to alight the bus prior to the elevation above grade. The passenger will then have a considerably longer distance to cover as a pedestrian before positioning himself at the pickup point for the intersecting route. This maneuver will

understandably be much more difficult for a person in a wheelchair. We have not seen, and would be interested in reviewing, site plans for these projects which illustrate pedestrian routing between these points. Removal of architectural barriers for the patron is a major factor in accommodating the disabled in our transit systems.

Valley Metro local and express bus services have short and long-term needs in this corridor:

Short-term:

- Construction re-routings - With all traffic, including buses, being detoured around construction, communication with our passengers is crucial. Average transit daily boardings along the Grand Avenue Corridor between 19th Avenue and 83rd Avenue are approximately 400 riders. There are approximately 145 boardings between 51st Avenue and 83rd Avenue alone. Passengers will need to be made aware of re-routings and schedule deviations. When a passenger is transferring between routes, timing is of the essence. If a connection is missed, significant delays may result.
- Accessibility issues - Currently, transit on Grand Avenue is hindered by a variety of architectural barriers. Most significant of these is the BNSF rail line. They control the right of way within one foot of the curb. This makes it difficult for transit to make these bus stop locations fully accessible under ADA guidelines. Easement requirements stipulate that no structures may be located within 15 feet of the railroad tracks. In many cases, we may be infringing upon that easement. Therefore, when improving these intersections we need to consider a number of pedestrian issues including curb ramp usability, curb ramp location slopes, pedestrian street crossings, handicapped accessible pedestrian signals, type of curb ramps at either the overpass or underpasses, and signs.

Long-term:

Grand Avenue, even with its low population density and industrial land uses, is a major transportation corridor that will always warrant attention in the transit plans of the region. Commuters, the elderly, and many other user groups will continue to depend upon this corridor as a link from the Northwest Valley to the central city and beyond. RPTA, MAG and other concerned stakeholders are currently addressing many of these issues in the region. Issues include:

- High capacity services like commuter and/or Limited stop transit services
- Arterial local services with transit connections E/W and N/S

Therefore, during the design phase of the project, we have the following suggestions:

- We would like to review plan view schematics that show pedestrian circulation between the various far side transit stops at these intersections.
- We would like to review potential bus pull-out locations at these intersections where such improvements are not precluded by railroad rights of way.
- We would like to review a design concept draft that includes roadway spacing to enable two directional lanes to accommodate high occupancy modes. Such lanes might also be considered just for bus rapid transit (BRT) use.

RPTA believes that the incorporation of future transit capability into the design of the roadway and its intersections will best meet travel needs for decades by maximizing the effective capacity of the corridor. In the long term, we also feel that there is a great potential for the development of commuter rail service in this corridor. We realize the challenges of the Grand Avenue corridor, and the reality that there are no easy solutions to the problems caused by its alignment and location.

If you need further information, our Valley Metro Planning Staff will be glad to assist you. Also, please do not hesitate to contact me at any time at (602) 262-7242.

Sincerely,



Jim Dickey

Deputy Executive Director, Operations and
Planning RPTA

C: Ken Driggs
Ten Collins
Steve

Mike Shirley

From: Jeffrey S Trapp [jtrapp@dps.state.az.us]
Sent: Tuesday, February 13, 2001 11:27 AM
To: Mike Shirley
Subject: Grand Avenue Design Concept Report and Environmental Assessment ADOT

This message is a follow up to our phone conversation concerning the above listed project. The Arizona Department of Public Safety has no comments concerning any of the questions asked.

Sergeant Jeff Trapp Central Patrol
Bureau (602) 223-2872



COMMUNICATIONS

1550 W. Deer Valley Road
Phoenix, AZ 85027 Fax:
(623) 322-0524
February 20, 2001

Mike Shirley
Logan Simpson Design Inc.
51 W. Third St. Suite 450
Tempe, AZ, 85281

**RE: 55th Ave, Maryland Ave. and Grand Ave.
Design Concept Report and Environmental Assessment**

Dear Mr. Shirley

With regard to the above mentioned project, Cox Communications has no facilities in or adjacent to this intersection.

Given the commercial and light industrial nature of the Grand Ave corridor, little additional growth and few additional projects are foreseen in this area in the near future.

Thank you for the opportunity to respond in this matter.

Sincerely,

Walter R. Coombs Utility Specialist
COX Communications
1550 W. Deer Valley Rd.
Phoenix, Arizona 85027
(623) 322-7288
Walter.Coombs@Cox.com.



February 16 2001

302 North 1st Avenue, Suite 300 Phoenix, Arizona 85003
PHONE (602) 254-6300 FAX (602) 254-6490
Email: mag@mag.maricopa.gov Website: www.mag.maricopa.gov

TO: Karim Dada, Project Manager, Arizona Department of Transportation
FROM: Chris Voigt, Senior Engineer
SUBJECT: REQUEST FOR COMMENTS ON PROPOSED PROJECTS FOR THE 75th, 67th, 59th
and 55th AVENUE INTERSECTIONS WITH GRAND AVENUE

The Maricopa Association of Governments (MAG) has received four letters dated January 16, 2001 p- requesting comments identifying any issues or concerns with proposed improvements for four intersections) along Grand Avenue. MAG has no comments at this time regarding these projects.

The letters also requested the identification of any major projects or developments over a twenty year period (ten years past to ten years in the future). Information we have available is documented in the MAG Long Range Transportation Plan (LRTP), which employs a twenty year planning horizon, and Transportation Improvement Program (TIP). The LRTP and TIP are updated annually, and historical versions of these documents are available. Improvements to these intersections are included in the current approved FY 2001-2005 TIP.

MAG also compiles socioeconomic data which may be of interest to your project. Some currently available information is listed on our website, located at www.mag.maricopa.gov. For further information, please contact Rita Walton at (602) 254-6300.

If you have any questions or comments, please contact me or Roger Herzog at (602) 254-6300.

c: Bob Johnson, Logan Simpson Design Inc.
Michael Shirley, Logan Simpson Design Inc.

Albert F. Brown, M.P.A., R.S.
Director



MARICOPA COUNTY
Environmental Services Dept.
Phoenix, AZ 85004
(602) 506-6623
(602) 506-5141 FAX
(602) 506-6704 TDD

January 22, 2001

Mr. Michael Shirley Senior
Environmental Planner Logan
Simpson Design Inc. 51 West
Third Street, #450
Tempe, AZ 85281

Dear Mr. Shirley:

This is in response to your letter of January 16, 2001 regarding an environmental assessment of the Grand Avenue intersections.

To ensure you have the earthmoving permits required by the Department, please contact Harold Monteith at 602-506-6734.

In addition, contact the Cities of Phoenix, Glendale and Peoria's Water and Wastewater departments regarding abandonment and reconstruction of water and sewer lines. If any affected land is within unincorporated areas, please contact the MCESD Water & Wastewater Division at 506-6666.

I wish you great success with this project.

Sincerely,

A handwritten signature in black ink, appearing to read "Al Brown", is written over a light blue rectangular background.

Al Brown
Director



U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
ARIZONA DIVISION
234 N. Central Avenue, Suite 330
Phoenix, AZ. 85004
August 15, 2001

IN REPLY REFER TO
HA-AZ
NH-060-B(GEN)
060MA 160H5137 01R
060 MA 157 H5532 01R
060MA 158H5537 01C
060 MA 149H5538 01C
060 MA 156H5600 01D
060 MA 153H5601 01D
Continuing Section 106
Consultation Grand Avenue
Intersections

Mr. David Moody
City of Peoria
8401 W. Monroe St.
Peoria, AZ 85345

Dear Mr. Moody:

As you are aware, the Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) have proposed to make operational and safety improvements to eight intersections along Grand Avenue (US 60) in the cities of Phoenix, Glendale, and Peoria, Maricopa County, Arizona. FHWA has conducted early and continuing consultation with agencies and Native American tribes regarding this project and a Programmatic Agreement (PA) was signed and filed with the Advisory Council on Historic Preservation in April 2001.

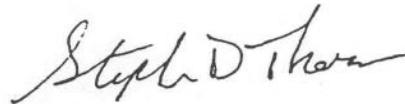
The purpose of this letter is to notify all parties of a change in the funding status of two of the project intersections. ADOT has committed to fully fund all work associated with the improvements of the intersections at 59th Ave./Glendale Ave./Grand Ave. and at 75th Ave./Olive Ave./Grand Ave. Because federal-aid funds from the FHWA are no longer needed for improvements to these two intersections, they are no longer included within the scope of work for this FHWA undertaking, which would now include only the following six intersections: 27th/Thomas/Grand, 43rd/Camelback/Grand, 51st/Bethany Home/Grand, 91st/101 Loop/Grand, 55th/Maryland/Grand, and 67th/Northern/Grand.

Improvements at 59th/Glendale/Grand and at 75th/Olive/Grand would be state funded and would be considered a separate ADOT undertaking for which ADOT would consult separately regarding eligibility and effect. ADOT remains committed to identifying, documenting, and treating any and all historic properties that may be identified in these two project intersections in a manner that is consistent with the terms in the Programmatic Agreement applicable to the remaining six project intersections.

FHWA does not consider this change in project scope to require an amendment to the project PA since the proposed treatment of historic properties in the remaining six intersections would remain unchanged. By its continuing participation in the PA, ADOT would continue to satisfy its obligations under state law. FHWA considers this letter sufficient to adequately inform all parties of the change in scope and agency responsibility.

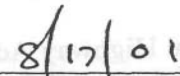
Please review the information in this letter. If you agree that this letter provides sufficient notice of the change in scope and that no amendment to the PA is necessary, please sign below to indicate your concurrence. If you have any questions or concerns, please call Michael Ohnersorgen (Historic Preservation Specialist, ADOT) at (602) 712-8148. Thank you for your continued cooperation with this agency.

Sincerely,


for Robert E. Hollis
Division Administrator



Signature for City of Peoria concurrence



Date



U.S. DEPARTMENT OF TRANSPORTATION

FEDERAL HIGHWAY ADMINISTRATION

ARIZONA DIVISION

234 N. Central Avenue, Suite 330

Phoenix, AZ. 85004

August 15, 2001

IN REPLY REFER TO

HA-AZ

NH-060-B(GEN)

060MA 160H5137 01R

060 MA 157 H5532 01R

060MA 158 H5537 01C

060 MA 149H5538 01C

060 MA I56 H5600 01D

060 MA 153H5601 01D

Continuing Section 106 Consultation

Grand Avenue Intersections

Mr. Bob Coons
City of Glendale
5850 W. Glendale Ave, Suite 315
Glendale, AZ 85301

Dear Mr. Coons:

As you are aware, the Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) have proposed to make operational and safety improvements to eight intersections along Grand Avenue (US 60) in the cities of Phoenix, Glendale, and Peoria, Maricopa County, Arizona. FHWA has conducted early and continuing consultation with agencies and Native American tribes regarding this project and a Programmatic Agreement (PA) was signed and filed with the Advisory Council on Historic Preservation in April 2001.

The purpose of this letter is to notify all parties of a change in the funding status of two of the project intersections. ADOT has committed to fully fund all work associated with the improvements of the intersections at 59th Ave./Glendale Ave./Grand Ave. and at 75th Ave./Olive Ave/Grand Ave. Because federal-aid funds from the FHWA are no longer needed for improvements to these two intersections, they are no longer included within the scope of work for this FHWA undertaking, which would now include only the following six intersections: 27th/Thomas/Grand, 43rd/Camelback/Grand, 51st/Bethany Home/Grand, 91st/101 Loop/Grand, 55th /Maryland/Grand, and 67th/Northerm/Grand.

Improvements at 59th/Glendale/Grand and at 75th/Olive/Grand would be state funded and would be considered a separate ADOT undertaking for which ADOT would consult separately regarding eligibility and effect. ADOT remains committed to identifying, documenting and treating any and all historic properties that may be identified in these two project intersections in a manner that is consistent with the terms in the Programmatic Agreement applicable to the remaining six project intersections.


FHWA does not consider this change in project scope to require an amendment to the project PA since the proposed treatment of historic properties in the remaining six intersections would remain unchanged. By its continuing participation in the PA, ADOT would continue to satisfy its obligations under state law. FHWA considers this letter sufficient to adequately inform all parties of the change in scope and agency responsibility.

Please review the information in this letter. If you agree that this letter provides sufficient notice of the change in scope and that no amendment to the PA is necessary, please sign below to indicate your concurrence. If you have any questions or concerns, please call Michael Ohnersorgen (Historic Preservation Specialist, ADOT) at (602) 712-8148. Thank you for your continued cooperation with this agency.

Sincerely,



Robert E. Hollis
Division Administrator

 , SPECIAL PROJECTS ADMINISTRATOR 8/20/01
Signature for City of Glendale concurrence Date



City of Phoenix

August 31, 2001

Mr. Robert E. Hollis
Division Administrator
U.S. Department of Transportation
Federal Highway Administration
Arizona Division
234 N. Central Avenue, Suite 330
Phoenix, AZ 85004

Dear Mr. Hollis:

RE: CHANGE IN FUNDING STATUS FOR 59th AVE./GLENDALE/GRAND &
75th AVE./OLIVE/GRAND PROJECTS

Please find enclosed the signed response regarding the change in funding status for the projects. This provides the concurrence from the City.

If you have any questions, please call me at 602-495-5817.

Sincerely,

Ray Dovalina, P.E.
Traffic Engineering Supervisor
Freeway Coordination Office

Enclosure

Rd/aff/fhwaletl.doc

c: Mr. Jacobson

Mr. Bostwick



U.S. DEPARTMENT OF TRANSPORTATION

FEDERAL HIGHWAY ADMINISTRATION

ARIZONA DIVISION

234 N. Central Avenue, Suite 330

Phoenix, AZ. 85004

August 15, 2001

IN REPLY REFER TO

HA-AZ

NH-060-B(GEN)

060MA 160H5137 01R

060 MA 157 H5532 01R

060MA 158H5537 01C

060 MA 149H5538 01C

060 MA 156H5600 01D

060 MA 153H5601 01D

Continuing Section 106 Consultation

Grand Avenue Intersections

Mr. Thomas Godbee
City of Phoenix
200 W. Washington, 5th Floor
Phoenix, AZ 85003

Dear Mr. Godbee:

As you are aware, the Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) have proposed to make operational and safety improvements to eight intersections along Grand Avenue (US 60) in the cities of Phoenix, Glendale, and Peoria, Maricopa County, Arizona. FHWA has conducted early and continuing consultation with agencies and Native American tribes regarding this project and a Programmatic Agreement (PA) was signed and filed with the Advisory Council on Historic Preservation in April 2001.

The purpose of this letter is to notify all parties of a change in the funding status of two of the

project intersections. ADOT has committed to fully fund all work associated with the improvements of the intersections at 59th Ave./Glendale Ave./Grand Ave. and at 75th Ave./Olive

Ave./Grand Ave. Because federal-aid funds from the FHWA are no longer needed for improvements to these two intersections, they are no longer included within the scope of work

for this FHWA undertaking, which would now include only the following six intersections:

27th/Thomas/Grand, 43rd/Camelback/Grand, 51st/Bethany Home/Grand, 91st /101

Loop/Grand,

55th /Maryland/Grand, and 67th /Northern/Grand.

Improvements at 59th /Glendale/Grand and at 75th Olive/Grand would be state funded and would be considered a separate ADOT undertaking for which ADOT would consult separately regarding eligibility and effect. ADOT remains committed to identifying, documenting, and treating any and all historic properties that may be identified in these two project intersections in a manner that is consistent with the terms in the Programmatic Agreement applicable to the remaining six project intersections.

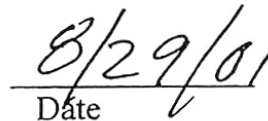
FHWA does not consider this change in project scope to require an amendment to the project PA since the proposed treatment of historic properties in the remaining six intersections would remain unchanged. By its continuing participation in the PA, ADOT would continue to satisfy its obligations under state law. FHWA considers this letter sufficient to adequately inform all parties of the change in scope and agency responsibility.

Please review the information in this letter. If you agree that this letter provides sufficient notice of the change in scope and that no amendment to the PA is necessary, please sign below to indicate your concurrence. If you have any questions or concerns, please call Michael Ohnersorgen (Historic Preservation Specialist, ADOT) at (602) 712-8148. Thank you for your continued cooperation with this agency.

Sincerely,

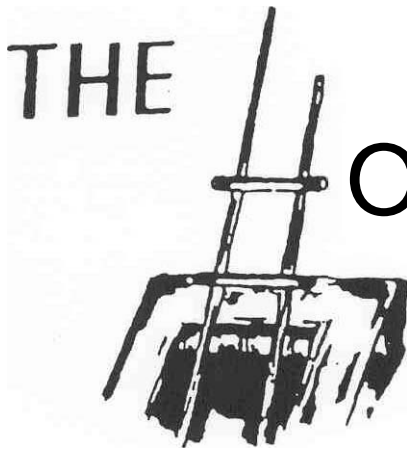


for Robert E. Hollis
Division Administrator


Signature for City of Phoenix concurrence
Date

cc: Mr. Bill Jacobson
City of Phoenix Historic
Preservation Office
200 W. Washington, 9th
Floor Phoenix, AZ 85003

Mr. Todd Bostwick
City of Phoenix
Archaeologist Pueblo
Grande Museum
4619 E. Washington Street
Phoenix, AZ 85034



THE HOPI TRIBE

Wayne Taylor, Jr.

CHAIRMAN

Phillip R. Quochoyewa, Sr.

VICE-CHAIRMAN

August 27, 2001

Robert E. Hollis, Division Administrator
U. S. Department of Transportation
Federal Highway Administration 234 N.
Central Ave., Suite 330 Phoenix, Arizona
85004

Re: Grand Avenue Intersections, Continuing Consultation

Dear Mr. Hollis,

Thank you for your letter dated August 15, 2001, regarding the Arizona Department of Transportation (ADOT) and Federal Highway administration (FHWA) proposing to make operational and safety improvements to eight intersections along Grand Avenue (US 60) in Maricopa County. As you know the Hopi Tribe is a party to the Programmatic Agreement for this proposal, and therefore, we appreciate your continuing solicitation of our input and your efforts to address our concerns.

The Hopi Cultural Preservation Office acknowledges the change in the funding status for the 59th Ave./Glendale Ave./Grand Ave. and 75th Ave./Olive Ave./Grand Ave. proposed intersection improvements. We understand that these improvements would be considered a separate ADOT undertaking for which ADOT would consult separately regarding eligibility and effect, in a manner consistent with the terms in the Programmatic Agreement. We therefore concur that this change in project scope does not require an amendment to the Programmatic Agreement and that your letter is sufficient to adequately inform the Hopi Tribe of the change in the scope and agency responsibility.

Thank you again for consulting with the Hopi Tribe.

Respectfully,

Leigh J. Kuwanwisiwma, Director
Cultural Preservation Office



U.S. DEPARTMENT OF TRANSPORTATION

FEDERAL HIGHWAY ADMINISTRATION

ARIZONA DIVISION

234 N. Central Avenue, Suite 330

Phoenix, AZ. 85004

August 15, 2001

IN REPLY REFER TO

HA-AZ

NH-060-B(GEN)

060MA 160H513701R

060 MA 157 H5532 01R

060MA 158H5537 01C

060 MA 149H5538 01C

060 MA 156H5600 01D

060 MA 153H5601 01D

Continuing Section 106 Consultation

Grand Avenue Intersections

David Jacobs Ph.D.
Compliance Specialist
State Historic Preservation Office
Arizona State Parks
1300 West Washington Street
Phoenix, AZ 85007

Dear Dr. Jacobs:

As you are aware, the Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) have proposed to make operational and safety improvements to eight intersections along Grand Avenue (US 60) in the cities of Phoenix, Glendale, and Peoria, Maricopa County, Arizona. FHWA has conducted early and continuing consultation with agencies and Native American tribes regarding this project and a Programmatic Agreement (PA) was signed and filed with the Advisory Council on Historic Preservation in April 2001.

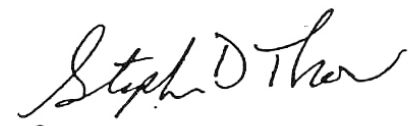
The purpose of this letter is to notify all parties of a change in the funding status of two of the project intersections. ADOT has committed to fully fund all work associated with the improvements of the intersections at 59th Ave./Glendale Ave./Grand Ave. and at 75th Ave./Olive Ave./Grand Ave. Because federal-aid funds from the FHWA are no longer needed for improvements to these two intersections, they are no longer included within the scope of work for this FHWA undertaking, which would now include only the following six intersections: 27th/Thomas/Grand, 43rd/Camelback/Grand, 51st/Bethany Home/Grand, 91st 7101 Loop/Grand, 55th /Maryland/Grand, and 67th/Northern/Grand.

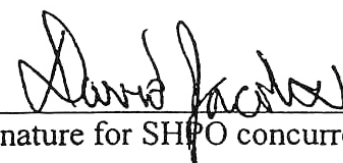
Improvements at 59th/Glendale/Grand and at 75th/Olive/Grand would be state funded and would be considered a separate ADOT undertaking for which ADOT would consult separately regarding eligibility and effect. ADOT remains committed to identifying, documenting and treating any and all historic properties that may be identified in these two project intersections in a manner that is consistent with the terms in the Programmatic Agreement applicable to the remaining six project intersections.

FHWA does not consider this change in project scope to require an amendment to the project PA since the proposed treatment of historic properties in the remaining six intersections would remain unchanged. By its continuing participation in the PA, ADOT would continue to satisfy its obligations under state law. FHWA considers this letter sufficient to adequately inform all parties of the change in scope and agency responsibility.

Please review the information in this letter. If you agree that this letter provides sufficient notice of the change in scope and that no amendment to the PA is necessary, please sign below to indicate your concurrence. If you have any questions or concerns, please call Michael Ohnersorgen (Historic Preservation Specialist, ADOT) at (602) 712-8148. Thank you for your continued cooperation with this agency.

Sincerely,


for Robert E. Hollis
Division Administrator



Signature for SHPO concurrence

24 AUG 01
Date

cc: Michael Ohnersorgen, ADOT



Arizona Department; of Transportation

Environmental Planning Group

205 South 17th Avenue Room 213E Mall Drop 619E Phoenix, Arizona 85007-5212

Phone 602.712.7760 FAX 602 712.3066

Jane Dee Hull

Mary E. Peters

Governor

Director

January 24, 2002

David Jacobs, Ph.D. Compliance Specialist

State Historic Preservation Office

Arizona State Parks

1300 West Washington Street

Phoenix, AZ 85007

RE: Project #: NH-060-B(GEN)

TRACS: 060 MA 155 H5610 01D; 060 MA 152 H5609 01D

State Act Consultation Grand Avenue Intersections

Dear Dr. Jacobs:

As you are aware, the Arizona Department of Transportation (ADOT) and the Federal Highway Administration (FHWA) are planning to make operational and safety improvements to eight intersections along Grand Avenue (US 60) in the cities of Phoenix, Glendale, and Peoria, Maricopa County. FHWA has conducted early and continuing consultation with agencies and Indian tribes regarding this project and a Programmatic Agreement (PA) was signed and filed with the Advisory Council on Historic Preservation (ACHP) in April, 2001. FHWA previously submitted historic property inventory survey reports and consulted with parties to the PA regarding project effects within four project intersections (27th/Thomas, 43rd/Camelback, 51st/Bethany Home, and 91st/101 Loop). FHWA/ADOT last consulted with you regarding this project by letter dated August 15, 2001 to inform you of a change in project funding, where funding for the improvements to two of the remaining four intersections (59th Glendale and 75th /Olive) -would be changed from federal to state. Improvements at the remaining two intersections (55th/Maryland and 67th/Northern) would continue to utilize two state-funded projects at the 59th/Glendale and 75th/Olive intersections, pursuant to the State Historic Preservation Act (AJLS. §41-864). FHWA will consult separately with you in the near future regarding the Federal-aid projects at 55th/Maryland and 67th/Northern.

Historic property inventory surveys have been completed for the final four intersections. The results of these surveys are reported in the following two reports: *"A Class III Archaeological Survey -of Four Intersections Along Grand Avenue (US 60) (55th Avenue at Maryland Avenue. 59th Avenue at Glendale Avenue. 67th Avenue at Northern Avenue, and 75th Avenue at Olive Avenue). Maricopa County, Arizona"* (Grafil 2001 [Logan Simpson Design, Inc-]), and *"Grand Avenue Intersections: Phase II Historic Property Documentation and Evaluation"* (Doyle and Grandrud 2001 (Gerald A. Doyle and Associates, P.C.)). Copies of both reports are enclosed for your review and comment. A summary of the results of the historic property inventories at these two intersections is provided below, along with ADOT's recommendations of eligibility and project effect.

59th Ave/Glendale Ave. (060 MA 155 HS610 01D)

The LSD survey identified one archaeological site, AZ T:8:146 (ASM) and one isolated feature (1F5) in this project area. AZ T:8:146 (ASM) consists of the remains of a demolished house located at 6535 N. 59th Avenue, within the 59th Ave/Glendale Ave. project area. A cast iron bathtub dated to 1935 is the only historic artifact associated with this site. The structure itself is of uncertain age. The site has no significant historic associations, lacks integrity, and has little or no potential to furnish important information. ADOT recommends it to be ineligible for the Arizona and National Registers of Historic Places (ARHP, NRHP). 1F5 is an electric pump and associated utilities that may be of historic age. It does not meet ASM site criteria and is not considered eligible for the ARHP or NRHP.

The survey by Doyle identified and examined numerous historic or potentially-historic buildings in this project area. These include four commercial properties on or adjacent to Grand Ave.: 5764 Grand Ave. (Trail's End Motel), 5910 Grand Ave. (Glendale Cafe), 5986 and 5988 Grand Ave. (Thunderbird Radiator), and the 6838 N. 58th Dr. (First National Bank). The Trail's End Motel is in fair condition, but its integrity of setting, feeling, and association have been compromised by increasing urbanization along Grand Ave. Doyle notes that better examples of this building type occur throughout Arizona. Therefore, ADOT recommends the Trail's End Motel to be ineligible for the ARHP and NRHP. The Glendale Cafe, constructed in 1960, is not of historic age and is considered ineligible for the ARHP and NRHP. The Thunderbird Radiator buildings previously have been recommended as ineligible for the NRHP; ADOT continues to recommend that these buildings are not register eligible. The First National Bank is individually listed on the NRHP. As Doyle notes, only the front (58th Dr.) facade of the building is architecturally significant and would not be affected by any of the proposed alternatives. The rear of the building, which may be indirectly affected by the proposed Grand Avenue underpass alternative, is a reconstruction and does not contribute to the register-eligibility of the building. ADOT recommends that the design alternatives proposed at this intersection would not adversely affect the First National Bank.

Numerous residential and commercial buildings -were also identified along or near 59th Ave. -These include the following residences within the Catlin Court Historic District 7141 N. 59th Ave. (Messinger House), 7147 N. 59th Ave, 7153 N. 55th Ave, 7157 N. 59th Ave, and 5851 Myrtle Ave. Three of these properties, 7141 N. 59th Ave, 7157 N. 59th Ave, and 5851 Myrtle, are listed on the NRHP as contributors to the Catlin Court Historic District. The remaining two properties at 7147 N. 59th Ave. and 7153 N. 59th Ave. are of recent construction and are not considered register-eligible, either individually or as contributors to the district. Proposed improvements to the intersection may include changes in the direction of traffic along 59th Ave. adjacent to these properties, depending on the alternative selected. However, since the properties are not accessed from 59th Ave., the proposed improvements would have no adverse effect upon the district or any of its contributing properties. The preliminary preferred alternative for redesign of this intersection would be an underpass along Grand Avenue; therefore, the historic Catlin Court would not be impacted by the visual intrusion of an overpass along 59th Ave.

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75th Ave./Olive Ave. (060 MA 155 H5610 01D)

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Please review the information in this letter and the enclosed survey reports. If you find the reports to be adequate, agree with ADOT's recommendations of eligibility, agree that a finding of "no adverse affect" is appropriate for the project at 59th/Glendale, agree that a finding of "adverse affect" is appropriate for the project at 75th/Olive. and agree that no additional documentation is required to mitigate the adverse.

David Jacobs
January 24, 2002
Page 4

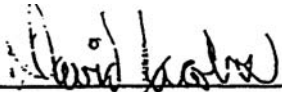
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Sincerely,



Michael Ohnersorgen, Ph.D. Historic
Preservation Specialist

Enclosures



Signature for SHPO Concurrence

7 FEB 02

Date



Arizona Department; of Transportation

Environmental Planning Group

205 South 17th Avenue Room 213E Mall Drop 619E Phoenix, Arizona 85007-5212

Phone 602.712.7760 FAX 602 712.3066

Jane Dee Hull

Governor

Mary E. Peters

Director

January 24, 2002

Mr. Bob Coons

City of Glendale

5850 W. Glendale Ave., Suite 315

Glendale, AZ 85301

RE: Project #: NH-060-B(GEN)

TRACS: 060 MA 155 H5610 01D; 060 MA 152 H5609 01D

State Act Consultation

Grand Avenue Intersections

Dear Mr. Coons:

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59th Ave/Glendale Ave. (060 MA 155 HS610 01D)

The LSD survey identified one archaeological site, AZ T:8:146 (ASM) and one isolated feature (1F5) in this project area. AZ T:8:146 (ASM) consists of the remains of a demolished house located at 6535 N. 59th Avenue, within the 59th Ave/Glendale Ave. project area. A cast iron bathtub dated to 1935 is the only historic artifact associated with this site. The structure itself is of uncertain age. The site has no significant historic associations, lacks integrity, and has little or no potential to furnish important information. ADOT recommends it to be ineligible for the Arizona and National Registers of Historic Places (ARHP, NRHP). 1F5 is an electric pump and associated utilities that may be of historic age. It does not meet ASM site criteria and is not considered eligible for the ARHP or NRHP.

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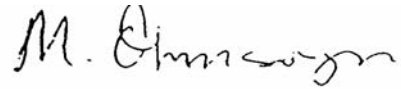
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Bob Coons
January 24, 2002
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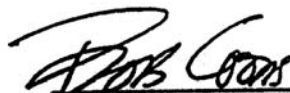
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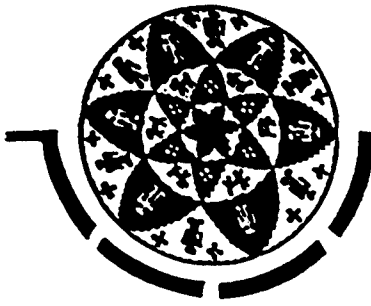


Michael Ohnersorgen, Ph.D. Historic
Preservation Specialist

Enclosures

 Special Projects Administrator
Signature for City of Glendale Concurrence

2/15/02
Date



PRESCOTT ♦ INDIAN ♦ TRIBE

February 4, 2002

Mr. Michael Ohnersorgen Ph.D.
Historic Preservation Specialist
Arizona Department of Transportation
205 S. 17th Ave., MD 619E
Phoenix, AZ 85007-3212

Dear Mr. Ohnersorgen:

Thank you for the historic property inventory surveys for intersections slated for improvements in the cities of Phoenix, Glendale and Peoria in Maricopa County. We defer consultation in this matter to tribes closer to those areas.

Sincerely,

Nancy Lee Hayden
Director of Culture Research

NLH:lj:1002



Arizona Department; of Transportation

Environmental Planning Group

205 South 17th Avenue Room 213E Mall Drop 619E Phoenix, Arizona 85007-5212

Phone 602.712.7760 FAX 602 712.3066

Jane Dee Hull

Governor

Mary E. Peters

Director

January 24, 2002

Mr. Aaron Russell, Chariman

Yavapai-Apache Nation

P.O. Box 1188

Camp Verde, AZ 86322

RE: Project #: NH-060-B(GEN)

TRACS: 060 MA 155 H5610 01D; 060 MA 152 H5609 01D

State Act Consultation

Grand Avenue Intersections

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Aaron Russell, Chairman
January 24, 2002
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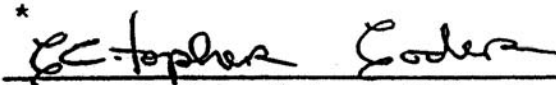
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Michael Ohnersorgen, Ph.D. Historic
Preservation Specialist

Enclosures

* 

Signature for Yavapai-Apache Nation Concurrence

Feb / 06 / 02

Date

*For Chairman Russell



Arizona Department; of Transportation

Environmental Planning Group

205 South 17th Avenue Room 213E Mall Drop 619E Phoenix, Arizona 85007-5212

Phone 602.712.7760 FAX 602 712.3066

Jane Dee Hull
Governor

Mary E. Peters
Director

January 24, 2002

Mr. David Moody
City of Peoria
8401 W. Monroe St.
Peoria, AZ 85345

RE: Project #: NH-060-B(GEN)

TRACS: 060 MA 155 H5610 01D; 060 MA 152 H5609 01D
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Historic property inventory surveys have been completed for the final four intersections. The results of these surveys are reported in the following two reports: *"A Class III Archaeological Survey -of Four Intersections Along Grand Avenue (US 60) (55th Avenue at Maryland Avenue. 59th Avenue at Glendale Avenue. 67th Avenue at Northern Avenue, and 75th Avenue at Olive Avenue). Maricopa County, Arizona"* (Grafil 2001 [Logan Simpson Design, Inc-]), and *"Grand Avenue Intersections: Phase II Historic Property Documentation and Evaluation"* (Doyle and Grandrud 2001 (Gerald A. Doyle and Associates, P.C.)). Copies of both reports are enclosed for your review and comment. A summary of the results of the historic property inventories at these two intersections is provided below, along with ADOT's recommendations of eligibility and project effect.

59th Ave/Glendale Ave. (060 MA 155 HS610 01D)

The LSD survey identified one archaeological site, AZ T:8:146 (ASM) and one isolated feature (1F5) in this project area. AZ T:8:146 (ASM) consists of the remains of a demolished house located at 6535 N. 59th Avenue, within the 59th Ave/Glendale Ave. project area. A cast iron bathtub dated to 1935 is the only historic artifact associated with this site. The structure itself is of uncertain age. The site has no significant historic associations, lacks integrity, and has little or no potential to furnish important information. ADOT recommends it to be ineligible for the Arizona and National Registers of Historic Places (ARHP, NRHP). 1F5 is an electric pump and associated utilities that may be of historic age. It does not meet ASM site criteria and is not considered eligible for the ARHP or NRHP.

The survey by Doyle identified and examined numerous historic or potentially-historic buildings in this project area. These include four commercial properties on or adjacent to Grand Ave.: 5764 Grand Ave. (Trail's End Motel), 5910 Grand Ave. (Glendale Cafe), 5986 and 5988 Grand Ave. (Thunderbird Radiator), and the 6838 N. 58th Dr. (First National Bank). The Trail's End Motel is in fair condition, but its integrity of setting, feeling, and association have been compromised by increasing urbanization along Grand Ave. Doyle notes that better examples of this building type occur throughout Arizona. Therefore, ADOT recommends the Trail's End Motel to be ineligible for the ARHP and NRHP. The Glendale Cafe, constructed in 1960, is not of historic age and is considered ineligible for the ARHP and NRHP. The Thunderbird Radiator buildings previously have been recommended as ineligible for the NRHP; ADOT continues to recommend that these buildings are not register eligible. The First National Bank is individually listed on the NRHP. As Doyle notes, only the front (58th Dr.) facade of the building is architecturally significant and would not be affected by any of the proposed alternatives. The rear of the building, which may be indirectly affected by the proposed Grand Avenue underpass alternative, is a reconstruction and does not contribute to the register-eligibility of the building. ADOT recommends that the design alternatives proposed at this intersection would not adversely affect the First National Bank.

Numerous residential and commercial buildings -were also identified along or near 59th Ave. -These include the following residences within the Catlin Court Historic District 7141 N. 59th Ave. (Messinger House), 7147 N. 59th Ave, 7153 N. 55th Ave, 7157 N. 59th Ave, and 5851 Myrtle Ave. Three of these properties, 7141 N. 59th Ave, 7157 N. 59th Ave, and 5851 Myrtle, are listed on the NRHP as contributors to the Catlin Court Historic District The remaining two properties at 7147 N. 59th Ave. and 7153 N. 59th Ave. are of recent construction and are not considered register-eligible, either individually or as contributors to the district Proposed improvements to the intersection may include changes in the direction of traffic along 59th Ave. adjacent to these properties, depending on the alternative selected. However, since the properties are not accessed from 59th Ave., the proposed improvements would have no adverse effect upon the district or any of its contributing properties. The preliminary preferred alternative for redesign of this intersection would be an underpass along Grand Avenue; therefore, the historic Catlin Court would not be impacted by the visual intrusion of an overpass along 59th Ave.

Also identified were several commercial and residential buildings within or near the Orchard Addition, a potential historic district These include the following properties: 6704 N 59th Ave., (Los Vecinos Housing). 6710 N. 59th Ave. (Gomez Towing). 6718 N. 59th Ave. (Tire Shop), 6722 N. 59th Ave. (Arizona Survey and Mapping). 6734 N. 59th Ave., 6738 N. 59th Ave., 6746 N. 59th Ave, Danny's Custom Auto Trim), 5907 Lamar Road. 5911 Lamar Road. 5912-5914 Lamar Road. 6802 N. 59th Ave.

(Glendale Used Appliance), 6814 N. 59th Ave., 6818 N. 59th Ave., 6822 N. 59th Ave. 6816 N. 59th Ave., 6830 N. 59th Ave (Labor Ready), and 5905 W Glendale Ave (Price Auto) Although (he Orchard Addition may contain properties of significance outside of the project area, none of the properties within the project limits are recommended as register-eligible, either individually or as contributors to the potential historic district. Several of the structures identified above do not meet the age criterion to be considered historic, and the integrity of the architecture and setting of the others has been severely compromised.

Four other properties were identified as possibly historic along or near 59th Ave. that are not part of a historic district, including three commercial buildings (7120, 7122, and 7124 N. 59th Ave.) and a residence at 5913 W. Palmaire Ave. None of the three commercial buildings meet the age criterion to be considered historic and they are all considered not register-eligible. The residence on Palmaire lacks historical and architectural significance and also is considered not register-eligible.

75th Ave./Olive Ave. (060 MA 155 H5610 01D)

The LSD survey identified no historic properties in this project area. LSD did identify three Isolated Features (IF6-8), including a railroad sign (IF6) and two canal features (IF7 and EF8). The canal features include lateral culverts, bankings, and headwalls that form part of the system of laterals to the Salt River Project (SRP) system, under the jurisdiction of the US Bureau of Reclamation. These laterals are not associated with historic farmsteads or districts, do not retain integrity of feeling or setting, and are not of unique design or construction. According to the February 2001 Programmatic Agreement among the BOR, the ACHP, the SHPO, and SRP, these canals do not meet specifications for lateral canals worthy of preservation. The BOR does not consider these lateral canal features to be eligible individually or as contributing elements to the SRP system (Dave Gifford, BOR, personal communication, 2001). Therefore, none of the IPs identified by LSD can be considered a register-eligible historic property.

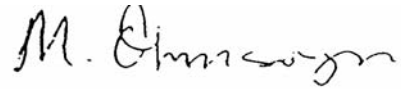
The survey by Doyle identified one historic building (the H.C. Mann Farmhouse) and one historic structure (the Peoria Underpass) within the 75th/Olive project area. The Peoria Underpass on Grand Avenue, constructed in 1936, is not architecturally or historically significant Doyle scored the underpass according to criteria established by Fraserdesign (1987) in the *Arizona Bridge Inventory* and recommends that the structure is not register eligible. ADOT concurs with this recommendation. The H.C. Mann Farmhouse, located at the SW corner of Olive and 75th Avenues, has been previously recommended as eligible for the NRHP (Woodward 1993). This building retains considerable integrity in its architectural design and its setting and ADOT continues to recommend that it is eligible for the ARHP. The building cannot be avoided by the design alternatives for this intersection and would be demolished. Therefore, this project would have an adverse affect upon the H.C. Mann House. The building has been previously documented with a SHPO Historic Property Inventory Form (Woodward 1993) and Doyle report includes additional photographic documentation of this structure. Therefore, no additional mitigation is recommended.

Please review the information in this letter and the enclosed survey reports. If you find the reports to be adequate, agree with ADOT's recommendations of eligibility, agree that a finding of "no adverse affect" is appropriate for the project at 59th/Glendale, agree that a finding of "adverse affect" is appropriate for the project at 75th/Olive. and agree that no additional documentation is required to mitigate the adverse.

David Moody
January 24, 2002
Page 4

impacts to the H.C. Mann Farmhouse, please sign below to indicate your concurrence. If you have any questions or comments, please call me at (602) 712-8148. Thank you for your continued cooperation with this agency

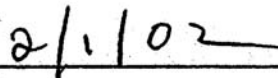
Sincerely,



Michael Ohnersorgen, Ph.D. Historic
Preservation Specialist

Enclosures



Signature for City of Peoria Concurrence

Date



CITY OF PEORIA

Public Works/Engineering

MEMORANDUM

DATE:

January 29, 2002

TO:

Dave Moody

FROM:

Sheila McCafferty

SUBJECT:

Grand Ave Intersections/State Act Consultation

I have review all the information provided by ADOT . The only property in Peoria that is effected is the Historic Mann Farmhouse. It has already been recommended as a National Register Historic Property (Woodward 1993). They are recommending no further mitigation and the house will be destroyed if the project moves forward. It has been well documented by both the 1993 survey and this one. I'm not sure what the city's interest is in the preservation of the Mann Farmhouse but the project at SW Corner of 75th Ave and Olive will require it to be demolished. They are asking the city to concur that no additional mitigation is required.

PROGRAMMATIC AGREEMENT

AMONG

**FEDERAL HIGHWAY ADMINISTRATION
ARIZONA DEPARTMENT OF TRANSPORTATION
ARIZONA STATE HISTORIC PRESERVATION OFFICE
CITY OF PHOENIX
CITY OF GLENDALE
SALT RIVER PIMA-MARICOPA INDIAN COMMUNITY
FORT MCDOWELL MOHAVE-APACHE INDIAN COMMUNITY
YAVAPAI-PRESCOTT INDIAN TRIBE
AND
YAVAPAI- APACHE INDIAN NATION**

REGARDING THE HISTORIC PROPERTIES ALONG

**GRAND AVENUE (U.S. 60) AT EIGHT INTERSECTION LOCATIONS (27TH/THOMAS,
43RD/CAMELBACK, 51ST /BETHANY HOME, 91ST/101 LOOP, 55TH/GRAND,
59TH/GLENDALE, 67TH/GRAND, AND 75TH/GRAND)**

MARICOPA COUNTY, ARIZONA

WHEREAS, the Federal Highway Administration (FHWA) has determined that improvements to eight intersections along Grand Avenue 27th/Thomas, 43rd/Camelback, 51st/Bethany Home, 91st/101 Loop, 55th/Grand, 59th/Glendale, 67th/Grand, and 75th/Grand), Maricopa County, Arizona, hereafter referred to as the Project, may have an adverse effect upon historic properties that are eligible for inclusion on the National Register of Historic Places (NHRP); and

WHEREAS, the area of potential effect (APE) for this project would consist of eight irregularly-shaped parcels, each encompassing one of the Project intersections illustrated on Figure 1 of this report; and

WHEREAS, FHWA, as the lead agency responsible for compliance under Section 106 of the National Historic Preservation Act (16 U.S.C. §470f) for the Project, by its involvement for providing Federal-aid funding, as authorized by 23 CFR 771, and the Arizona Department of Transportation (ADOT), as agent for FHWA, have consulted with the State Historic Preservation Officer (SHPO) and the Advisory Council on Historic Preservation (ACHP) pursuant to 36 CFR Part 800, regulations implementing Section 106 of the National Historic Preservation Act; and

WHEREAS, by their signature all parties agree that the existing ADOT standard specification will address the presence of cultural materials in potential material sources; and

WHEREAS, project construction will occur on private land to be purchased for the Project that is incorporated by the cities of Phoenix, Glendale and Peoria, who have been invited to or have participated in consultation and been invited to con cur in this agreement; and

WHEREAS, the Native American Tribes that may attach religious or cultural importance to affected properties have been invited to or have participated in consultation and have been invited to concur in this agreement;

NOW, THEREFORE, all parties agree that the Project shall be administered in accordance with the following stipulations in order to satisfy Section 106 of the National Historic Preservation Act and applicable state laws.

STIPULATIONS

FHWA shall ensure that the following measures will be carried out:

I. INVENTORY, EVALUATION, AND EFFECT DETERMINATION

A. Inventory. FHWA, represented by ADOT, will complete a historic properties inventory of the eight intersection locations defined as the APE that is conducted in a manner consistent with the Secretary of the Interior's Standards and Guidelines (48 FR 44716-44742) for Identification of Historic Properties. FHWA, represented by ADOT, will further ensure that any areas not previously surveyed and any staging or use areas related to this undertaking shall be inventoried in a manner consistent with the Project inventory. Report(s) of the results of any and all inventories shall be submitted to all parties for a concurrent 30-calendar-day review and comment.

1. FHWA, represented by ADOT, will ensure that SHPO Historic Property Inventory Forms are completed for each historic building or structure within the APE. Completed inventory forms will be included in an appendix in the inventory report(s).
2. FHWA represented by ADOT, has consulted with and will continue to consult with the Hopi Tribe, the Salt River Pima-Maricopa Indian Community, the Fort McDowell Mohave-Apache Indian Community, the Yavapai-Presecott Indian Nation, and the Yavapai-Apache Indian Nation to help identify potential properties of religious and cultural significance within the APE and within any additions to the APE by staging or use areas.

- B. Evaluation. FHWA, represented by ADOT, in consultation with SHPO, the Cities of Phoenix, Glendale and Peoria, and Native American Tribes shall ensure that determinations of eligibility are made in accordance with 36 CFR 800.4(c) for all historic properties within the Project right-of-way, including any additional staging or use areas. Should any party to this agreement disagree with FHWA or ADOT regarding eligibility, the SHPO shall be consulted and resolution sought within 20 calendar days. If the FHWA and SHPO disagree on eligibility, determinations will be forwarded to the Keeper of the National Register for resolution.
1. FHWA, represented by ADOT, will ensure that archaeological site areas needing testing, according to §800.4(b)2, will be investigated in a manner to evaluate them for eligibility for the National Register of Historic Places. An Archaeological Testing Plan will be developed for such areas for submittal to SHPO, the Cities of Phoenix, Glendale and Peoria, and Native American Tribes for review and comment prior to implementation of the testing plan. The review and comment of the Archaeological Testing Plan will be consistent with the time frames specified in Stipulation III (A) and (B) below. The results of the testing will be detailed in an Archaeological Testing Report that will be reviewed and evaluated as per Stipulation III (A) and (B) below.
- C. Effect Determination. FHWA, represented by ADOT, in consultation with SHPO shall apply the criteria of Adverse Effect in 36 CFR 800.5 to all historic properties within the Project APE, including any area proposed for geotechnical testing or additional new staging or use areas.
- D. FHWA, represented by ADOT, has sought public comment on the effects of the undertaking on historic properties in coordination with its procedures for implementing the National Environmental Policy Act (NEPA). FHWA shall notify and consult with interested parties, as appropriate, regarding findings of eligibility, effect, and mitigation options.
- E. If FHWA and the SHPO agree (per Stipulations IV A & B) that a portion of the undertaking shall have no effect on listed or eligible properties, FHWA may provide authorization to proceed- with construction in that area, subject to obtaining any necessary permits and the conditions of any Monitoring Plan or Discovery Plan developed for the Project, provided that construction does not preclude options for avoidance of historic properties in other segments.

II. EFFECTS ON HISTORIC PROPERTIES

To the extent feasible, FHWA will avoid adverse effects to historic properties that are identified in the APE through project redesign or implementation of protective measures. Where avoidance is not feasible, FHWA, in cooperation with ADOT, and in consultation with SHPO and other consulting parties, shall ensure that the following measures are carried out:

A. Historic Buildings or Structures. A Treatment Plan for Historic Building and Structures (TPHBS) will be developed for the mitigation of effects on historic buildings and structures that will result from the Project and any related uses and activities. FHWA in cooperation with consulting parties, will ensure that all options are considered for rehabilitation or alternative uses of historic buildings and structures within the project area. Where such options are not feasible, properties may be demolished. Further, FHWA, in cooperation with consulting parties, will ensure the development of location and property specific plans for each individual phase or segment of the Project that will be considered as Supplements to the TPHBS.

1. The TPHBS shall be consistent with Secretary of the Interior's Standards for Rehabilitation and Illustrated Guidelines for Rehabilitating Historic Buildings or the SHPO's Documentation Standards for Historic Properties, as appropriate, and shall minimally specify the following:

- a. The TPHBS will identify the historic buildings and structures to be affected by the Project as a whole and the nature of those effects.
- b. The TPHBS will contain an appropriate explanation of the relevance and importance of each property that reflects the concept of historic contexts as defined in National Register Bulletin 16 and shall take into consideration any such historic contexts established for the Project area.
- c. Where rehabilitation or alternative uses are feasible for a specific property, the FHWA, in cooperation with consulting parties, will ensure that the approaches recommended in the Secretary of the Interior's Standards for Rehabilitation and Illustrated Guidelines for Rehabilitating Historic Buildings are taken into account during plans for rehabilitation or use of the property.
- d. If rehabilitation or alternative use are not feasible options for a specific property, and demolition must occur, the property will be documented in accord with the SHPO's Documentation Standards for Historic Properties. Such documentation will include an appropriate narrative, relevant maps, reproductions- of original plans or architectural drawings, and appropriate black and white photographs and color slides, as indicated in the SHPO Standards.
- e. All documentation relevant to TPHBS will be submitted to all consulting parties for review and comment and will be compiled into a final project report.

B. Archaeological Sites. A Treatment Plan for Archaeological Sites (TPAS) will be developed for the mitigation of anticipated effects on archaeological sites that will result from the Project and any related uses and activities. Further, FHWA, in cooperation with consulting parties, will ensure the development of location and property specific Data Recovery Plans for each individual phase or segment of the Project that will be considered as Supplements to the TPAS.

1. The TPAS shall be consistent with the Secretary of Interior's Standards and Guidelines (48 FR 44716-44742) and the Council's handbook Treatment of Archaeological Properties and shall minimally specify the following:
 - a. The TPAS will identify the archaeological sites to be affected by the Project as a whole and the nature of those effects. Identification and description of the traditional and/or religious significance of traditional cultural properties identified with Native American Tribes may be done only with the permission of the appropriate tribe(s). Addressing and defining traditional cultural properties shall be consistent with the guidance provided in National Register
 - b. The Research design will contain research questions and goals that are applicable to the Project area as a whole that will be addressed through data recovery, along with an explanation of their relevance and importance. These research questions and goals shall reflect the concept of historic contexts as defined in National Register Bulletin 16 and shall take into consideration any such historic contexts established for the Project area.
 - c. Field analysis methods and strategies applicable to the Project area that will be developed along with an explanation of their relevance to the research questions.
 - d. Proposed procedures for dealing with discovery situations will be specified.
 - e. Methods to be used in data management and dissemination of data will be specified.
 - f. Methods and procedures for the discovery of human remains will be specified. In the event human remains are encountered on private land, FHWA and ADOT will coordinate with the Arizona State Museum (ASM) under the provisions of the ARS 41-844, and ARS 41-865, and a burial agreement will be developed. Appropriate procedures for the recovery, analysis, treatment, and disposition of human remains, associated grave goods, and objects of cultural patrimony would be developed in accordance with the provisions of applicable state laws and all promulgated regulations and would reflect any concerns and/or conditions identified as a result of consultations between FHWA, ADOT, ASM, and any affected Native American tribes.
 - g. A Monitoring Plan will be included to ensure that historic properties are not affected by construction-related activities. This Monitoring Plan shall specify the location of all identified properties and the means by which they will be marked and avoided if construction or other ground disturbing activities are allowed in nearby portions of the right-of-way.

- h. A Discovery Plan will be included to ensure adequate treatment of unanticipated discoveries taking into account the provisions in 36 CFR § 800.13 and ARS 41-844. Plans shall address methods for consultation to determine an appropriate course of treatment for discovered properties. Plans shall also identify methods that will be used for recording and reporting monitoring activities and discoveries.
 - i. A discussion of the public benefit of mitigation and a plan for heritage education programs will be included to the extent possible.
- 2. Each phase or segment-specific Data Recovery Plan shall represent a dependent plan supplemental to the TPAS providing specific direction for the conduct of Data Recovery within any given Project segment. It shall conform to the general requirements of the TPAS. At a minimum, it shall specify:
 - a. The historic properties to be affected in the specified Project segment and the nature of those effects.
 - b. The research questions identified in the TPAS that will be appropriate for the specified Project segment and that will be addressed through data recovery, along with any additional research questions compatible with the TPASs and an explanation of their relevance to the overall research goals as established in the Plan.
 - c. The specific fieldwork and analytical strategies identified in the TPAS, as well as any other strategies that will be employed in the specified Project segment.
 - d. A proposed schedule for submission of progress, preliminary, and other reports to SHPO and other consulting parties.

III. COMMENT ON THE TREATMENT PLANS AND DATA RECOVERY PLAN(S)

- A. Upon receipt of a draft of either Treatment Plan, FHWA, represented by ADOT, will submit the draft concurrently to all parties to the Agreement for review, after review by ADOT. All parties will have 30 calendar days from receipt to review and provide comments to ADOT. Lack of comment within this review period may be taken as concurrence with the plan.
- B. If revisions to either Plan is needed, all parties to this Agreement have 20 calendar days from receipt to review and comment on the revisions. If no comments are received within this period, the FHWA may assume that the reviewer concurs with the revisions.

- C. Once the Treatment Plan for Archaeological Sites is determined adequate by all parties to the Agreement, FHWA shall issue authorization to proceed with the development of the Data Recovery Plan(s) which shall be reviewed in a manner consistent with Stipulations EQ (A) and (B) above.
- D. Once the Data Recovery Plan(s) is determined adequate by all parties to the Agreement (SHPO approval), FHWA shall issue authorization to proceed with the implementation of the Plan, subject to obtaining all necessary permits.
- E. Final drafts of the Treatment Plans and all subsequent and supplemental Data Recovery Plan(s) will be provided to the parties to the Agreement.
- F. Any party to the Agreement may choose not to review each plan.

IV.CONSTRUCTION

- A. FHWA, represented by ADOT, in consultation with the SHPO may issue authorization to proceed with construction or geotechnical testing in those portions of the Project area that lack cultural resources or that contain historic properties once the agreed-upon fieldwork/treatment specified in the Treatment Plans and Data Recovery Plan(s) has been completed. Authorization is subject to SHPO acceptance of the adequacy of the work performed under those Plans and to obtaining all necessary permits, and provided work does not preclude treatment options in other sections. For archaeological properties, acceptance will be based on field inspection and review of a preliminary report documenting the accomplishment of the Treatment Plan for Archaeological Sites and Data Recovery Plan(s) by FHWA, consulting agencies and SHPO. Any party to the Agreement may choose not to review each report.
- B. All parties will have 30 days from receipt of the preliminary archaeological report for review and comment. If no comments are received within this period, FHWA may assume that the reviewer accepts the adequacy of the work and agrees with an authorization to proceed.
- C. FHWA shall ensure that if an archaeological property is discovered after construction begins, the approved Discovery Plan, as specified in Stipulation EL of this agreement, shall be implemented.

V. CHANGES IN CONSTRUCTION CORRIDORS AND ANCILLARY AREAS

Any changes or additions in construction corridors, staging, or use areas will be handled in a manner consistent with Stipulations I-FV.

VI. CURATION

FHWA, represented by ADOT, shall ensure that all records and materials resulting from identification and data recovery efforts are curated in accordance with standards and guidelines generated by the Arizona State Museum for private land and 36 CFR Part 19. Consultation with affected Native American tribes will be done according to ARS 41-844 and ARS 41-865, as applicable. All ARS 41-844 and 41-865 remains and cultural items will be treated with dignity and respect, and consideration for the specific cultural religious traditions applicable until their analysis is complete and their disposition has occurred.

VII. DISPUTE RESOLUTION

Should any party to this Agreement object within 30 calendar days to any action(s) or plans provided for review pursuant to this Agreement, FHWA shall consult with the objecting party to resolve the objection. The objection must be specifically identified, and the reasons for objection documented. If FHWA determines that the objection cannot be resolved, FHWA shall forward all documentation relevant to the dispute to the Council and notify SHPO as to the nature of the dispute. Within 30 calendar days of receipt of all pertinent documentation, the Council shall provide FHWA with recommendations which FHWA shall take into consideration in reaching a final decision regarding the dispute. Any recommendation or comment provided by the Council will be understood to pertain only to the subject of the dispute; FHWA responsibility to carry out all actions under this Agreement that are not the subject of the dispute will remain unchanged.

VIII. PUBLIC OBJECTION

At any time during the implementation of the measures stipulated in this Agreement, should an objection be raised by a member of the public, FHWA shall take the objection into account, notify SHPO of the objection, and consult as needed with the objecting party.

IX. AMENDMENT

FHWA, SHPO, or the Council may request that this Agreement be amended, whereupon the parties will consult to consider such amendment in accordance with 36 CFR 800.14.

X. AMENDMENT

This agreement shall be null and void if its terms are not carried out within twenty (20) years from the date of its execution, unless FHWA, SHPO, and the Council agree in writing to an extension for carrying out its terms. FHWA, SHPO, or the Council may terminate this agreement by providing written notice within 30 calendar days to the other parties, provided that the parties will consult during that period to seek agreement on amendments or other actions that would avoid termination. In the event of termination or expiration, FHWA shall either execute a new agreement under 800.6(c)(l) or request the comments of the Council under 800.7(a).

XI. FAILURE TO CARRY OUT THE TERMS OF THE AGREEMENT

In the event that the terms of this Agreement are not accomplished, FHWA shall comply with 36 CFR 800.3 through 800.5 with regard to individual actions covered by this Agreement.

Execution and implementation of this Agreement is evidence that FHWA has afforded the Council an opportunity to comment on the Grand Avenue Project and its effect upon historic properties. In so doing, FHWA has satisfied the Section 106 responsibilities for all individual actions of this undertaking. Participation in this agreement also satisfies the State Historic Preservation Act responsibilities of the ADOT for this undertaking pursuant to ARS § 41 -864.

CONSULTING PARTIES

FEDERAL HIGHWAY ADMINISTRATION

By David S. Nelson

Date 1 - 17 - 01

Title ASSIST DIVISION ADMIN.

ARIZONA STATE HISTORIC PRESERVATION OFFICER


By James W. Garenin

Date 3/1/01

Title AZ SHPO

CONCURRING PARTIES

ARIZONA DEPARTMENT OF TRANSPORTATION

By  Date 1-17-01

Title Environmental Group Manager

CITY OF PHOENIX

By _____ Date _____

Title _____

CITY OF GLENDALE

By _____ Date _____

Title _____

CITY OF PEORIA

By _____ Date _____

Title _____

THE HOPI TRIBE

By _____ Date _____

Title _____

THE SALT RIVER PIMA-MARICOPA INDIAN COMMUNITY

By _____ Date _____

Title _____

CONCURRING PARTIES

ARIZONA DEPARTMENT OF TRANSPORTATION

By



Date

1-17-01

Title

Environmental Group Manager

CITY OF PHOENIX

By

Date

Title

CITY OF GLENDALE

By

Date

Title

CITY OF PEORIA

By

David Moody, P.E.

Date

2/2/01

Title

PWD

THE SALT RIVER PIMA-MARICOPA INDIAN COMMUNITY

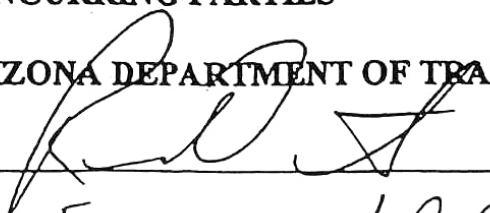
By

Date

Title

CONCURRING PARTIES

ARIZONA DEPARTMENT OF TRANSPORTATION

By  Date 1-17-01

Title Environmental Group Manager

CITY OF PHOENIX

By _____

Date _____

Title _____

CITY OF GLENDALE

By _____

Date _____

Title _____

CITY OF PEORIA

By _____

Date _____

Title _____

THE HOPI TRIBE

By: Wayne Taylor

Date: 2/06/01

Title: CHAIRMAN

THE SALT RIVER PIMA-MARICOPA INDIAN COMMUNITY

By _____ Date _____

Title _

THE FORT MCDOWELL MOHAVE-APACHE INDIAN COMMUNITY

By _____ Date _____

Title _____

THE YAVAPI-PRESCOTT INDIAN TRIBE

By _____ Date _____

Title _____

THE YAVAPI-APACHE INDIAN NATION

By _____ Date _____

Title _____

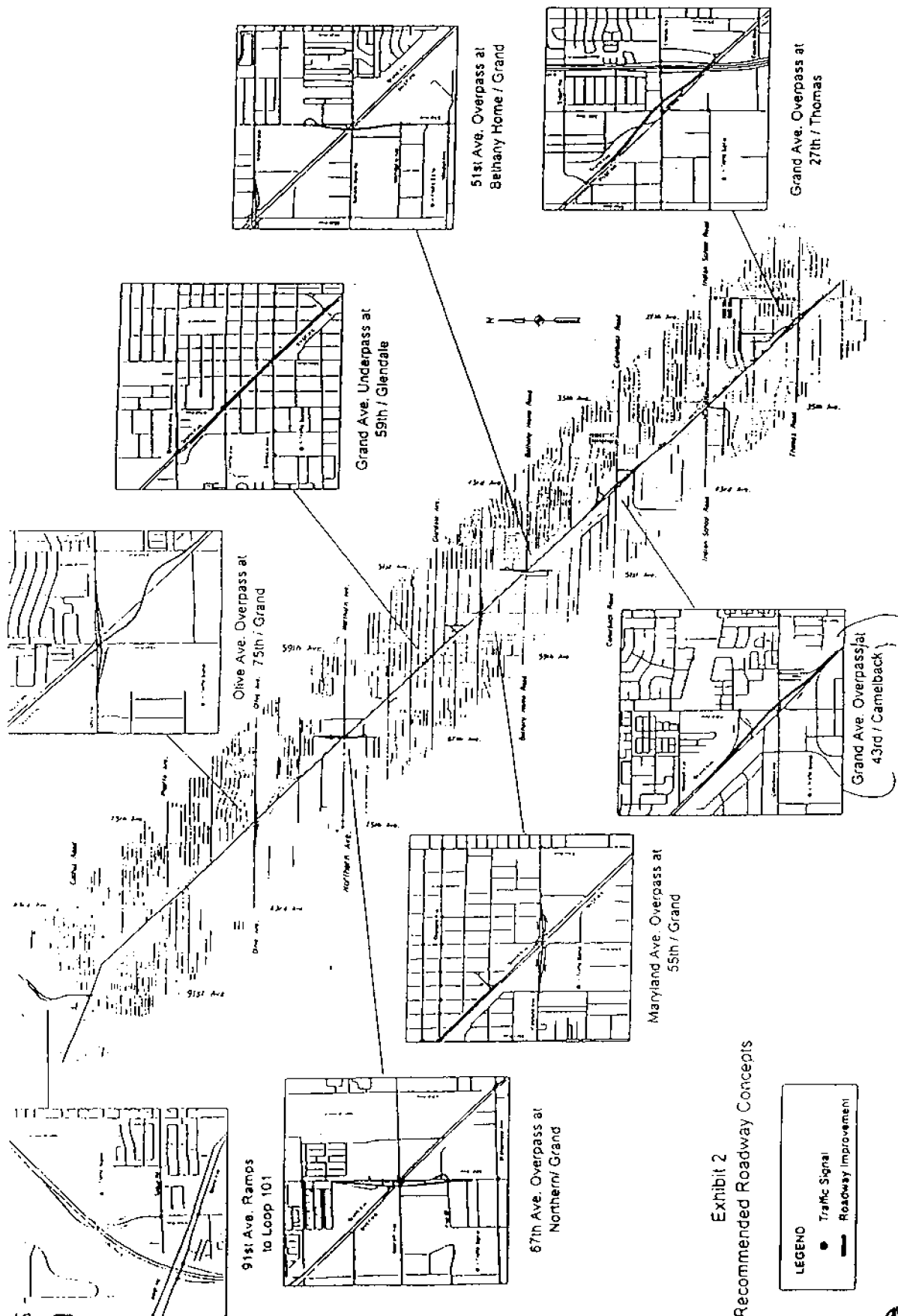


Exhibit 2
Recommended Roadway Concepts

FIGURE 1